

80 Rec'd PCT/PTO 20 JAN 1998

154-130

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Assistant Commissioner for Patents and Trademarks, Washington, D.C. 20231 on this 15th day of Jan, 1998.
By Ann F. Haughey

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MICHAEL LEBRUN ET AL)
SERIAL NO. 08/945,144)
INTERNATIONAL APPLN.: PCT/FR96/01125)
INTERNATIONAL FILING DATE: 7/18/96) BOX PCT
FILED: OCTOBER 14, 1997)
FOR: MUTATED 5-ENOL PYRUVYLSHIKI-)
MATE-3-PHOSPHATE SYNTHASE, GENE)
CODING FOR SAID PROTEIN AND TRANS-)
FORMED PLANTS CONTAINING SAID GENE)

Assistant Commissioner for Patents
Washington, D.C. 20231

COMPLETION OF APPLICATION FORMALITIES

Sir:

Enclosed herewith are the following:

A copy of the Notification of Missing Requirements
Under 35 U.S.C. 371 in the United States Designated/Elected Office
(DO/EO/US).

Check for the surcharge (\$130.00) under 37 CFR
1.492(e).

A Petition for Extension under 37 CFR 1.136(a) and

02/11/1998 PVULP 000000000873514
01 FC:154
Check for the applicable fee.
130.00 OP

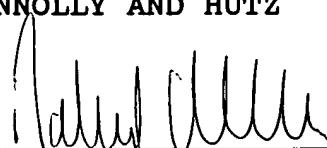
An executed Declaration & Power of Attorney, signed
by the inventor(s), which references the application as filed.

The Commissioner is hereby authorized to charge any additional fees, or credit any overpayment to, Deposit Account No. 03-2775. This paper is submitted in duplicate.

Respectfully Submitted,

CONNOLLY AND HUTZ

By:



Robert G. McMorrow, Jr.
Registration No. 30,962
Telephone No. (302) 658-9141

23858



Patent and Trademark Office
Address: ASSISTANT COMM. ONE
Box PCT
Washington, D.C. 20231

U.S. APPLICATION NO.

08/945,144

FIRST NAMED APPLICANT

ATTY. DOCKET NO.

LEBRUN

M

RP/PCT

INTERNATIONAL APPLICATION NO.

5621

PCT/FR96/01125

I.A. FILING DATE

PRIORITY DATE

07/18/96 07/19/95

DATE MAILED:

11/14/97

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494), an Elected Office (37 CFR 1.495):

U.S. Basic National Fee.
 Copy of the international application in:
 a non-English language.
 English.

Translation of the international application into English.
 Oath or Declaration of inventors(s) for DO/EO/US.
 Copy of Article 19 amendments.
 Translation of Article 19 amendments into English.
 The International Preliminary Examination Report in English and its Annexes, if any.
 Translation of Annexes to the International Preliminary Examination Report into English.
 Preliminary amendment(s) filed 14001997 and _____
 Information Disclosure Statement(s) filed _____ and _____
 Assignment document.
 Power of Attorney and/or Change of Address.
 Substitute specification filed _____
 Verified Statement Claiming Small Entity Status.
 Priority Document.
 Copy of the International Search Report and copies of the references cited therein.
 Other:

2. The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
 b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
 c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
 The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
 d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a large entity small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY 21 OR 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.126(a).

Translation of the Annexes MUST be submitted no later than the time period set above or the annexes will be uncancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response. *P. Kidwell*

Enclosed: PCT/DO/EO/917 Notice of Defective Translation

PTO-875

ORM PCT/DO/EO/905 (September 1996)

*Paulette Kidwell
Paralegal Specialist*

Telephone: (703) 305-3656

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MICHAEL LEBRUN ET AL :

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ING SAID GENE

Assistant Commissioner for Patents
Washington, D.C. 20231

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES
POSTAL SERVICE AS FIRST-CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER OF
PATENTS AND TRADEMARKS, WASHINGTON D.C. 20231 ON THIS 15th DAY OF Jan. 1998.
BY: Ann F. Hoffert

TRANSMITTAL OF INTERNATIONAL PRELIMINARY
EXAMINATION REPORT (ENGLISH TRANSLATION)

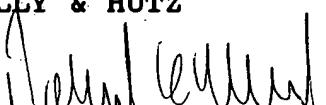
Applicant provides an English translation of the International
Preliminary Examination Report.

If any extension or other fee is required in connection with
this submission, please charge Deposit Account No. 03-2775.

Respectfully submitted,

CONNOLLY & HUTZ

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